



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 13-0952, **Version:** 1

Public Hearing to:

- a. Consider whether to affirm or rescind the August 27, 2013 Board of Supervisors' determination finding and certifying that the 2010 Monterey County General Plan as amended is consistent with, and intended to be carried out in a manner fully in conformity with, the Fort Ord Base Reuse Plan, the Fort Ord Reuse Authority's plans and policies, including the Master Resolution, and the Fort Ord Reuse Authority Act and
 - b. Direct staff to submit the 2010 General Plan as amended along with the required documentation to the Fort Ord Reuse Authority for a consistency determination.
- (REF130071/Fort Ord Consistency Determination) (ADDED VIA ADDENDUM)

PROJECT INFORMATION:

Planning File Number: REF130071

Owner: N/A

Project Location: Fort Ord Master Plan Area

APN: N/A

Agent: N/A

Plan Area: Fort Ord Master Plan

Flagged and Staked: N/A

CEQA Action: Previously Certified Environmental Impact Report and Addenda thereto

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Affirm the August 27, 2013 Board of Supervisors' determination finding and certifying that the 2010 Monterey County General Plan as amended is consistent with, and intended to be carried out in a manner fully in conformity with, the Fort Ord Base Reuse Plan, the Fort Ord Reuse Authority's plans and policies, including the Master Resolution, and the Fort Ord Reuse Authority Act and
- b. Direct staff to submit the 2010 General Plan as amended along with the required documentation to the Fort Ord Reuse Authority for a consistency determination.

SUMMARY:

This item came before the Board of Supervisors on August 27, 2013, for a scheduled hearing. Prior to the Board of Supervisors hearing, staff prepared and distributed a memorandum requesting that the item be continued from the August 27, 2013 hearing to the September 10, 2013 hearing to enable both members of the Fort Ord Subcommittee to be present at the Board of Supervisors hearing to consider this item (Supervisor Potter was absent). The Board of Supervisors did not continue the hearing on August 27, 2013 and, on that day, voted by a vote of 3 ayes, 1 no, and 1 absent to approve a resolution finding that the 2010 General Plan as amended is consistent with the Fort Ord Base Reuse Plan. The Open Monterey Project objected to the hearing on the basis of their expectation that the hearing would remain open until September 10. This item is now being placed back on the Board agenda to enable the Board to consider whether to affirm or rescind the August 27, 2013 decision. Hearing the matter again will provide the opportunity for those members of the public who may have elected not to attend the previous meeting to attend and comment on the item. Staff has also presented

additional response to questions raised at the August 27 hearing, including further analysis of the so-called Land Swap Agreement. (See Exhibit A.) This hearing provides the opportunity for the Board of Supervisors to affirm or rescind their previous decision based on any new testimony and evidence presented.

Pursuant to the Fort Ord Reuse Authority Act and the Fort Ord Reuse Authority (FORA) Master Resolution, upon adopting or amending the General Plan affecting territory of Fort Ord, the County must adopt findings certifying that the portion of the General Plan applicable to the territory of Fort Ord is intended to be carried out in a manner fully in conformity with the Authority Act and Fort Ord Base Reuse Plan, and the County must submit the General Plan to FORA for a determination of consistency with the Authority Act and Reuse Plan.

The required findings and certification are contained within the draft resolution (**Attachment B**). If approved, the resolution will be forwarded to FORA to allow FORA to render a consistency determination. The Authority Act and FORA Master Resolution require the County to submit to FORA the resolution as well as “materials sufficient for a thorough and complete review” (Gov’t Code Section 67675.2). A critical part of the FORA submittal requirements is the consistency analysis checklist. This checklist reflects staff’s review of the 2010 General Plan policies, inclusive of the Fort Ord Master Plan, against the required policies of the Fort Ord Reuse Authority and the Base Reuse Plan (**Attachment B, Exhibit 1**). The consistency analysis checklist provides a brief summary of where the Fort Ord Reuse Authority required elements are contained within the 2010 General Plan. A more extensive list containing a discussion of each Base Reuse Plan policy and its *implementation status* is also attached (**Attachment C**). Attachment C was prepared by FORA staff and contains a status of implementation through actions such as zoning amendments and other program development. The County is in the process of working with FORA staff to update and correct the contents of Attachment C; however, implementation does not need to be completed for this action.

The proposed action does not require subsequent environmental review pursuant to Section 15162 of the California Environmental Quality Act Guidelines. An Environmental Impact Report was certified for the 2010 General Plan on October 26, 2010 (Resolution # 10-290). Addenda to the General Plan EIR were prepared for the 2013 General Plan amendments. The subject action involves certifying that the adopted General Plan is consistent with the Base Reuse Plan. The consistency determination does not propose changes to the General Plan as amended, and no substantial changes have occurred with respect to the circumstances under which the General Plan was approved nor is there new information of substantial importance which was not known and could not have been known at the time of the previous EIR and its Addenda that would require major revisions to the EIR, and its Addenda, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

See **Attachment A** for a more detailed discussion.

OTHER AGENCY INVOLVEMENT:

All edits to the Fort Ord Master Plan and preparation of the consistency analysis have been done in consultation with the Fort Ord Reuse Authority staff.

The proposed action was reviewed by the Fort Ord Subcommittee on July 30, 2013. The Fort Ord Subcommittee voted to authorize staff to present this item to the full Board of Supervisors for consideration by a vote of 2-0.

FINANCING:

Funding for staff time associated with this work is included in the FY13-14 Adopted Budget for RMA-Planning.

Prepared by: Craig Spencer, Associate Planner ext. 5233

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192

Benny Young, Director, Resource Management Agency

This report was prepared with assistance by John Ford and reviewed by Carl Holm

cc: Front Counter Copy; John Ford, RMA Management Analyst; Jonathan Garcia, Fort Ord Reuse Authority; The Open Monterey Project; LandWatch; Sierra Club (Ventana Chapter); Keep Fort Ord Wild; Project File REF130071

The following attachments on file with the Clerk of the Board:

Attachment A Detailed Discussion

Attachment B Draft Board Resolution

Exhibit 1- Consistency Analysis

Attachment C Plan Implementation Analysis

Attachment D Comment letters

Attachment E FEIR on the 2010 General Plan and Addenda (available at RMA - Planning located at 168 W.

Alisal Street, 2nd Floor, Salinas CA 93901 or on RMA - Planning website at

<http://www.in.co.monterey.ca>.

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Attachment F Memorandum of Understanding Concerning the Proposed East Garrison/Parker Flats Land-Use Modifications